

Date: 8-13-09

Heard w/ 09cr92.

Reporter: R. Wilson

Start: 10:15-12:30

End: 2:00 4:42

UNITED STATES OF AMERICA
VS.

09cr 91

MAN harboring illegal aliens for financial gain.
- Rule on witnesses invoked per both parties.

Counsel/Government: Michael Frank
Counsel/Defendant: Kevin Brann

1) Involuntary detention - heard.
Restitution - heard.

Court adopts PSI without exceptions with exceptions: Δ Obj. to enhancement of 3 levels to offense level + also the vulnerable victim enhancement. No obj. to crim hist. Category I. Δ also contests issue of restitution. Gov't req. an upward variance.

Offense Level: 17 Adj. \rightarrow to 14 Court departs from Guidelines pursuant to:

Criminal History: USSG 5H1.4

Imprisonment Range: 15 to 21 USSG 5K1.1

Supervised Release Range: to 4 yrs. probation or home confinement USSG 5K2.12

Fine Range: to USSG 5C1.2

Special Assessment \$ 1000 Other:

Restitution \$ 1,000 to Pahrn 1,000 to Hannei Nov } jt. + severally

BOP for months Probation for 3 months Supervised Release for years

SPECIAL CONDITIONS:

- ___ Dft. to remain drug free, submit to In/Out patient testing as directed.
- ___ Dft. must participate in counseling as directed.
- ___ No new credit
- ___ Access to all financial records.
- ___ Dft. must notify employer
- ___ Dft. must pay restitution in monthly install. of \$ to begin days after release from custody.
- ___ Drug testing waived
- ___ Home confinement for the first months to only leave the home for employment, attend medical needs, meet with attorneys, probation officer, or to attend any religious services.
- ___ Dft. must fully cooperate w/INS in any deportation proceedings; may not re-enter w/o perm.

X PSIR TO BE CHANGED

RECOMMENDATIONS TO BOP:

- ___ Dft. designated to facility
- ___ Dft. designated to facility to receive intensive drug treatments.
- ___ Dft. designated to facility to participate in ICC (Boot Camp) type program
- ___ Dft. to participate in 500 hrs Intensive Drug Treatment Program
- ___ Dft. designated to minimum level security facility

Defendant Remanded Cont'd on Bond to Self-Surrender as directed by USMS to be Deported Immediately

Add'l. spellings:

Tatik Wuryanti / Djarno / Ledeburge / Srimona h
mustakim / Umar / majyati / Turiah / Paruaian